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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/774,990 | 01/30/2001 | Anna Pia Slothower | PALM-3559.US.P | 4362 |
| 7590 06/12/2008 WAGNER, MURABITO & HAO LLP Third Floor Two North Market Street San Jose, CA 95113 | | | EXAMINER NGUYEN, JENNIFER T | |
| | | | ART UNIT 2629 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/774,990

Applicant(s)

SLOTHOWER ET AL.

Examiner

JENNIFER T. NGUYEN

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is responsive to amendment filed 03/19/2008.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) Fig. 1 in view of Takahata et al. (U.S. Patent No. 6,556,189).

Regarding claims 1, 9, and 16, the AAPA Fig. 1 discloses an integrated enclosure/touch screen assembly comprising:

a display mechanism (140);

a digitizer mechanism comprising a protective component (120) and a resistive digitizing element (130); and

a cover (110) for the touch screen assembly that is disposed over and encloses said touch screen assembly, wherein the resistive digitizing element can be activated by contact made along the external surface of the cover (page 10, line 11 to page 11, line 10 in supported specification).

AAPA Fig. 1 differs from claims 1, 9, and 16 in that it does not specifically disclose the cover is a single piece cover enclosure that encloses the top and fully covers both sides of touch screen assembly that has endpoints that are coincident with a bottom surface of said touch screen, and wherein said single piece enclosure forms a seal to protect said touch panel.

Takahata teaches a cover is a single piece cover (43, fig. 10) enclosure that encloses the top and fully covers both sides of touch screen assembly wherein the single piece cover enclosure encloses the top for a touch screen assembly and wherein said single piece enclosure forms a seal to protect said touch panel (col. 10, lines 40-58, col. 11, lines 14-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the single piece cover enclosure as taught by Takahata in the system of the AAPA Fig. 1 in order to provide an outer packet to protect portion of the touch panel from damage. Although Takahata teaches the single piece cover enclosure has endpoints that are coincident with a side of said touch screen (fig. 10). However, the location of the endpoint is a matter of designer's choice and it would have been obvious to obtain the endpoints that are coincident with a bottom surface of said touch screen in order to provide a safe and neat outer package housing the touch panel.

Regarding claims 2, 3, and 17, the combination of the AAPA Fig. 1 and Takahata teaches a single piece cover enclosure is constructed using in mold decoration (col. 8, line 51 to col. 8, line 15 of Takahata).

Regarding claims 4 and 11, the AAPA Fig. 1 further teaches finger pressure on the external surface of said single piece cover enclosure can be used to activate said digitizer mechanism (page 10, line 11 to page 11, line 10 in specification).

Regarding claims 5 and 12, AAPA Fig. 1 teaches wherein stylus pressure on the external surface of said cover enclosure may be used to activate said digitizer mechanism (page 10, line 11 to page 11, line 10 in specification).

Regarding claim 6, the combination of the AAPA and Takahata teaches wherein said single piece cover comprises a mylar polycarbonate material (col. 7, lines 43-52).

Regarding claims 7, 14 and 20, the AAPA Fig. 1 further teaches the soft thermoplastic film has sufficient deflection under external pressure to active said digitizer mechanism (page 1, lines 15-20 in specification).

Regarding claims 8 and 15, the combination of AAPA Fig. 1 and Takahata teaches the single piece cover enclosure is constructed with a flat outer top surface free of any indentation (Figs. 1-10 of Takahata).

Regarding claims 10 and 19, the combination of AAPA Fig. 1 and Takahata teaches said single piece cover enclosure is a soft thermoplastic outer film that is coupled to say top film of said digitizer mechanism that is coupled to the supporting structure (col. 10, lines 50-58 of Takahata).

Regarding claims 13 and 18, the AAPA Fig. 1 further teaches the digitizing element of said digitizer mechanism is a resistive type digitizing element (page 10, line 11 to page 11, line 10 in specification).

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/J. T. N./
Examiner, Art Unit 2629

/Richard Hjerpe/
Supervisory Patent Examiner, Art Unit 2629